

**MINUTES OF THE  
AUBURN CITY PLANNING COMMISSION  
DECEMBER 6, 2005**

The regular session of the Auburn City Planning Commission was called to order on December 6, 2005 at 6:30 p.m. by Chairman Powers in the Council Chambers, 1225 Lincoln Way, Auburn, California.

**COMMISSIONERS PRESENT:** Merz, Murphy, Thompson, S. White, Chrm. Powers

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Will Wong, Community Development Director; Steve Geiger, Associate Planner; Michael Colantuono, City Attorney; Sue Fraizer, Administrative Assistant

**ITEM I: CALL TO ORDER**

**ITEM II: PLEDGE OF ALLEGIANCE**

**ITEM III: APPROVAL OF MINUTES**

The minutes of November 15, 2005 were approved as presented.

**ITEM IV: PUBLIC COMMENT**

None.

**ITEM V: PUBLIC HEARING ITEMS**

- A. **Lot Split – 215-261 Brook Road (Roumage Lot Split) – File LS 05-3.** The applicant requests approval of a tentative parcel map to subdivide 2.5 acres into four (4) parcels ranging in size from 11,736 to 51,803 square feet.

Steve Geiger gave the staff report. Mr. Roumage is requesting a lot split of his parcel into four lots for estate purposes.

The public hearing was opened.

The applicant, Vic Roumage, spoke. He explained that the reason for the lot split request was because he is concerned about the re-sale of the property if he were to die. He would like to tear down the older, existing buildings and construct nice residences there to make the property easier to sell. He said that the property has been in his family for many years.

Chairman Powers opened the floor for those in favor of the project. There were none.

Chairman Powers opened the floor for those opposed to the project. There were none.

The public hearing was closed.

The Commissioners discussed the proposal.

Comm. Thompson **MOVED** to:

- A. Adopt the Mitigated Negative Declaration prepared for the Roumage Lot Split (File LS 05-3).
- B. Adopt the following findings of fact for the Roumage Lot Split (File LS 05-3):
  - 1. The proposed subdivision is consistent with the Auburn General Plan.
  - 2. The design or improvement of the proposed subdivision is consistent with the objectives, policies, general land uses, and programs specified in the Auburn General Plan.
  - 3. The site is physically suitable for the proposed development.
  - 4. The site is physically suitable for the proposed density of development.
  - 5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
  - 6. The design of the subdivision or improvements is not likely to cause serious public health problems.
  - 7. The design of the subdivision or the type of improvements will not conflict with

easements, acquired by the public at large, for access through or use of, property within the proposed subdivision

- C. Approve the Roumage Lot Split (File LS 05-3) – 215-261 Brook Road, subject to the conditions listed in Exhibit “A” of the staff report (or as modified by the Planning Commission).

Comm. S. White **SECONDED**.

AYES: Merz, Murphy, Thompson, S. White, Chrm. Powers  
NOES: None  
ABSTAIN: None  
ABSENT: None

The motion was approved.

- B. **Use Permit – 905 Lincoln Way (Auburn Faith Center) – File UP 05-6.** The applicant requests approval of a use permit to allow a church to conduct services within an existing commercial building located at 905 Lincoln Way.

Planner Geiger gave the staff report. The Auburn Faith Center would like to purchase the building at 905 Lincoln Way (currently the Shiloh Center) for use as a church. There would be no exterior changes. The church attendance would average 85 on Sunday morning, and 50 on Wednesday evening at 6:30. The initial application was for use at those times only. Recently the applicant has provided clarification that they would like to be permitted to hold services or church activities Monday through Friday evenings at 6:30 p.m. and beginning at 5:00 p.m. on Saturdays. The City’s existing parking requirements for public assembly uses allow for 1 space for every 6 seats. A total of 14 spaces are required for the Sunday attendance of 85 people. There are 15 marked parking spaces behind the building. Staff has concerns that the church will require off-site parking that could adversely impact the residents/businesses in the area. Staff recommends that attendance be limited on Monday, Tuesday, Thursday, Friday and Saturday night to 30 people in attendance.

Comm. Thompson asked for clarification on the average attendance.

Comm. S. White stated that if there is discussion on limiting parking, the 15 available parking spaces won't be sufficient for 30 people.

Planner Geiger stated that one space for 6 people assumes that a large vehicle is being used and this is not realistic.

The public hearing was opened.

The applicant, Mr. Daniel Davenport stated that the initial request indicated use to be on Sundays at 10:00 a.m. and Wednesday at 6:30 p.m. The church would like to use the building in the same manner it is currently being used, ie; to be rented for weddings, business meetings, gatherings, etc. The church would like the flexibility to have meetings any time of day. Most meetings would not be held during peak business hours. They would also be open to limiting the time allowed for parking.

Comm. S. White asked if most of the church participants would be shopping and eating in downtown Auburn. And would the building continue to be utilized in the same manner it is now with the same type of events.

Mr. Davenport stated, yes, absolutely they would be shopping and eating, and yes, the building would be used in the same way.

Comm. Merz asked if the downstairs is undeveloped. If so, would they be developing the downstairs? If the recommendation is approved, would they perhaps consider the initial request of Sunday and Wednesday use only?

Comm. S. White asked if the church would work with large special events when they are planned to occur in Downtown.

Mr. Davenport said, yes they would work with the City and the Community when necessary. He stated that he feels the same conditions for Wednesday exist on other nights. He is asking for approval or denial based on unrestricted usage based on days and times.

Comm. Murphy asked about the list of conditions, specifically Number 3 on the Staff Report. Would they like to eliminate that or modify it?

Mr. Davenport stated that they would like the same freedom as the current usage...no restriction on days, times and number of people.

Comm. Murphy asked how they would work with the other businesses in the area.

Mr. Davenport said they would communicate with their neighbors and work with them.

Comm. Murphy asked if the church is a member of the Downtown Business Association.

Mr. Davenport said they are not a member.

City Attorney Michael Colantuono stated that religious and non-religious organizations must be treated the same. The issue is existing versus new uses of the building. The City can regulate a proposed new use, but not the existing, legal non-conforming use.

Comm. Merz asked if the church would be holding a Vacation Bible School.

Comm. Thompson asked if Jazzercise is being held in the building.

Mr. Davenport stated there may be a Vacation Bible School, but that Jazzercise is no longer being held there.

Comm. White asked about attendance. Would the church see an alternative if attendance was high, such as shuttling in from a larger parking area.

Mr. Davenport stated that their intention would be to shuttle people in from another area for a large event.

Chmn. Powers asked for those to speak who are **in favor** of the applicant.

Ellen Griffith stated she owns a business right next door to the church's existing location. She said that parking has never been adversely affected by the church and that they have been a great neighbor.

Marti Mecina stated she is in favor of the church buying the building. She is a member of the church and they want to be a contributing member of the community.

Trithena Conklin was a member of the original Shiloh Center. The church wants to benefit the community.

Mr. Grouthart stated he was previously homeless and the church took him in.

Danielle Tracy stated that she is a parent and a local resident. Her son has attended the church and it has positively influenced him.

Dan Hager is a business owner. He is a former pastor and performed a wedding at the Shiloh Center the day after Thanksgiving with over 100 in attendance. There was no problem with regard to parking.

Shelly Wallace is one of the 3 original members of the Shiloh Center. They had similar events and parking was not a problem.

Chmn. Powers asked for those who were **against** approval of the application.

Harvey Roper, President of the Downtown Business Association (DBA) passed out a letter to the commissioners which was sent to Mr. Davenport by the DBA pointing out the negative affects the church would have on the other businesses. He has checked with other churches and their average parking is one space per two seats. The 6 person per car policy is out of date. He feels that approval of this would be going backwards rather than forward.

Comm. Murphy asked Mr. Roper if there have been problems/difficulties with the Shiloh Center as it operates now.

Mr. Roper stated that there have been difficulties and issues.

Comm. Murphy said that the church would be bringing community members downtown. Isn't that a good thing?

Mr. Roper stated that with the growth that they've experienced, the parking is already full. The church would only bring more problems as they grow.

Comm. Murphy asked if the DBA has a recommendation to solve the problem.

Mr. Roper said that, as an example, Placer Savings is for sale for the same price, and has more parking and is a better facility. His suggestion is that they look for another location.

Chmn. Powers asked Mr. Roper how many members are in the DBA.

Mr. Roper said there are between 350 and 400 members.

Chmn. Powers asked if Mr. Roper represents all the members.

Mr. Roper said that many of the members attended a meeting and discussed this issue, and a letter was sent to all members. The board voted against the applicant.

Comm. Murphy asked if the limitation on attendance would impact downtown area.

Mr. Roper said yes. The DBA feels it is currently a tight fit, and it will grow. Why start something now knowing it will grow?

Comm. S. White asked Mr. Roper whether a limitation on the number of cars and spaces would assist the DBA goals.

Mr. Roper was unsure, it would depend on what it would look like.

Margareta Swann, owner of the Golden Swann stated that had she known what was going in to the Shiloh Center, this would have come up much earlier. When Jazzercise was there it impacted the parking and walking traffic. The church would cause lost tax revenue and should be in a residential area. At present, oftentimes her patrons cannot use her parking spaces because they are full.

Dave McEnroth , who owns a store at 984 Lincoln Way stated that he is on the board of Auburn/Placer Arts Center, and a graduate of the Auburn Leadership Class. One of the things the group looked at is the competition of downtown Auburn with the other shopping centers in the area. It was determined that they have to continue to support the retail market here and the merchants to make sure that they have adequate parking and facilities to attract customers. Suggests that the policy of one space per six be reviewed. Suggests that the issue be revisited to examine what other towns are doing for church parking.

Comm. Merz stated that he does feel that the parking issue needs to be reviewed, but to postpone this would tie up the project.

Mr. McEnroth re-iterated that he would like for the staff to review the parking issue.

Comm. Murphy stated that if there was not a Community gathering place in this location, he wonders where people would go.

Mr. McEnroth stated that the Leadership group is looking at alternatives to using the Shiloh Center.

There was discussion between Mr. Murphy and Mr. McEnroth. Mr. McEnroth stated that the past use of the Shiloh Center has been coordinated in a sophisticated manner, and when he asked Mr. Davenport how he would continue this, he said it would be done by volunteers. Mr. McEnroth stated that if all he has is volunteers, we have two different things going on, and the probability is that it will not continue in a similar manner.

Mr. Alfred Lee, a downtown business owner and DBA member passed a hand-out and read it to the Commission. He reported the potential parking problem the church would bring to Downtown. He said he has seen as many as 45 cars parked at the church's existing facility. He asked if the church has a plan for growth.

Dave Lardner, a downtown property owner stated the church would have a negative impact. He asks that the application be denied or possibly continued. He said he would be available to help with a solution.

Billy Pryor, owner of several downtown buildings suggests that another building be purchased and converted to a parking lot. He suggests a postponement.

Mr. Romero, a downtown business owner stated that he is losing a neighboring business. A comment made by the tenant was that there was a lack of parking. He feels that the church is not a good fit for the area.

Mr. Davenport returned to the podium and stated that in the 10 minutes he was given to speak with the DBA, not all the issues were brought to the table. If the building is rented out, that would generate property tax. The lot across the street has about 33 unreserved spots which could be used for overflow parking, and there are approximately 50 spots within 300 feet. An alternative use for the building might be office space, which wouldn't produce significant revenue. They would not seek approval to the detriment of their neighbors.

Mr. Roper asked if the ordinance said one space per 2 seats or one per four, would the application be considered.



Planner Geiger stated that if the standard said one parking space for every two seats, staff would obviously be pointing out that there is a clear deficiency.

Attorney Colantuono stated that since the building is private property, a parking variance may have to be granted to allow reasonable economic use of an existing non-conforming building.

Mr. Roper stated that office space does generate sales tax.

Mr. Davenport stated that the City has the right to reduce the on-site parking requirement when a church is adjacent to public parking.

Mr. Davenport stated that they would be willing to work out arrangements with other businesses to allow others the use of their parking lot.

Billy Pryor asked if the overflow parking lot is already in use, where will the church parking overflow go?

Chmn. Powers called for a 5 minute Recess.

Chmn. Powers called the meeting back to order. She asked for Comments from the City Staff.

Director Wong stated that the staff recommends that this item be continued to the meeting of December 20, 2005 to allow time for staff to prepare options for the Commission to consider.

Comm. S. White commented that she respects what the Shiloh Center has brought to the community and believes in the churches' intent to continue it. She is happy to hear the Staff's recommendation to continue this issue.

Comm. S. White **MOVED** to continue Use Permit 05-6 to the meeting of December 20, 2005.

Comm. Thompson **SECONDED**.

AYES:	Merz, Murphy, Thompson, S. White, Chmn. Powers
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was approved.

**ITEM VI: PLANNING COMMISSION BUSINESS**

**A. Site Context Discussion**

Director Wong asked if the Commission would like to consider changing or expanding upon the current wording contained in Planning's applications with regard to site context information required.

Comm. Murphy stated there was sometimes difficulty in having a project in context, depending on how you see it from different locations.

Director Wong asked Comm. Murphy to prepare revised wording of the site context requirement and provide it to staff so that the other Commission members can review.

**ITEM VII: COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS**

**A. City Council Meetings**

Director Wong stated that the next meeting will be December 12, 2005.

**B. Future Planning Commission Meetings**

The next meeting will be December 20, 2005 at 6:30 p.m. Meeting time will change to 6:00 p.m. in January, 2006.

**C. Reports**

None.

**ITEM VII: PLANNING COMMISSION REPORTS**

None.

**ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS**

None.

**ITEM IX: ADJOURNMENT**

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Susan Fraizer, Administrative Assistant